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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 879 of 2000

in

SPECIAL CIVIL APPLICATION No 12397 of 2000

with

CIVIL APPLICATION No 11409 of 2000

For Approval and Signature:

Hon'ble ACTING CHIEF JUSTICE MR.JN BHATT
and
Hon'ble MR.JUSTICE K.A.PUJ

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the concerned Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals? : NO

UNITED EMPLOYEES OF GCEL UNION
Versus
SPECIFIED AUTHORITY AND COMMISSIONER OF LABOUR

Appearance:

MR NILESH M SHAH for Appellant
MR NAGESH SOOD, AGP for Respondent No. 1
RULE UNSERVED for Respondent No. 2
DELETED for Respondent No. 3
RULE SERVED for Respondent No. 4-5

CORAM : ACTING CHIEF JUSTICE MR.JN BHATT
and
MR.JUSTICE K.A.PUJ

Date of decision: 29/04/2003

ORAL JUDGEMENT

(Per : ACTING CHIEF JUSTICE MR.JN BHATT)

Upon matter being called out today, learned advocates appearing for the parties have been heard. After considering the facts and circumstances and the relevant proposition of law in general and the proposition of law envisaged by section 36 of the Industrial Disputes Act, 1947 and the copy of the interim order dated 21.12.2000, we propose to pass following final order:

In compatible to the relevant provisions of law and in consonance with the provisions enshrined in section 36 of the Industrial Disputes Act, 1947, we are of the opinion that it would be in the larger interest of justice to permit both the sides to enjoy and avail legal assistance before the Specified Authority.

In the result, the impugned order shall stand modified and the appeal shall stand partly allowed to the aforesaid extent, with no order as to costs. As the appeal is partly allowed, the Civil Application shall also stand disposed of.

(J.N.Bhatt, Acting CJ)

(K.A.Puj, J.)
(vjn)